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CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

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DEC - 9 1976

CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

ENTERED

DEC 21 1976

CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

- 1 GANG, TYRE & BROWN
2 BRUCE M. RAWER
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4 6400 Sunset Building
5 Los Angeles, CA. 90028
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7 and
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14
15 Attorneys for Plaintiff
16 and Counterdefendant
17 Universal City Studios, Inc.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

12 UNIVERSAL CITY STUDIOS, INC.,
13 a corporation,

Plaintiff,

vs.

15 RKO GENERAL, INC., a corporation,
16 DINO DE LAURENTIIS CORPORATION,
17 a corporation, and RICHARD COOPER,

Defendants.

No. CV 75-3526 R

19 RKO GENERAL, INC., a corporation,

Defendant and
Counterclaimant,

vs.

22 UNIVERSAL CITY STUDIOS, INC.,
23 a corporation,

Plaintiff and
Counterdefendant.

26 RICHARD COOPER,

Defendant and
Cross-Complainant,

vs.

29 RKO GENERAL, INC., a corporation,

Defendant and
Cross-Defendant.

JUDGMENT

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A002164

1 This cause came on regularly for trial commencing
2 on September 1, 1976, before the Court sitting without a
3 jury, Gang, Tyre & Brown by Bruce M. Ramez and Stanley P.
4 Gold, and Rosenfeld, Meyer and Susman by Allen E. Susman and
5 Stephan A. Kroft, as attorneys for plaintiff and cross-
6 defendant Universal City Studios, Inc.; Lillick, McHose &
7 Charles by Anthony Liebig, Kenneth E. Kulzick and Andrew W.
8 Robertson, and Youngman, Hingate & Leopold by Louis P.
9 Petrich, attorneys for defendant, counterclaimant and cross-
10 defendant RKO General, Inc.; and Radison, Pfaelzer, Woodard,
11 Quinn & Rossi by Richard K. Simon and Lee L. Blackman, at-
12 torneys for defendant and cross-complainant Richard Cooper;
13 no appearance at trial by counsel for defendant Dino
14 DeLaurentiis Corporation having been made. The Court, having
15 heard the testimony and having examined the proofs and
16 evidence offered by the respective parties, and the cause
17 having been submitted for decision, and the Court being
18 fully advised in the premises, and having made its findings
19 of fact and conclusions of law directing that judgment be
20 entered in favor of plaintiff and counterdefendant Universal
21 City Studios, Inc., and against all defendants, it is
22 hereby:

23 **DECLARED, ORDERED, ADJUDGED AND DECREED that:**

24 1. With reference to the novel entitled "King
25 Kong" which was initially published by Grosset & Dunlap, Inc.
26 and copyrighted by said company, the purported renewal of
27 copyright therein by Patricia Marion Caldecott Frere and
28 the Certificate of Registration of a Claim to Renewal Copy-
29 right, No. 251,390, issued to her, was and is of no force
30 or validity. Said novel is and has been in the public do-
31 main since December 27, 1960, the date of expiration of the
32 original term of copyright therein.

2 . With reference to the two-part serialization
of the work entitled "King Kong" initially published by
Tower Magazines, Inc. in the February 1933 and March 1933
issues of its publication "Mystery Magazine" and copyrighted
by said company, said two-part serialization is and has
been in the public domain since expiration of the respective
original terms of copyright in said issues of "Mystery
Magazine." The original term of copyright in the February
1933 issue of "Mystery Magazine" expired on December 20,
1960, and the original term of copyright in the March 1933
issue of "Mystery Magazine" expired on January 23, 1961.

3. Plaintiff Universal City Studios, Inc. may
produce, sell, distribute, exhibit and otherwise exploit
a motion picture based on and using any and all elements
contained in the works declared to be in the public domain
in Paragraphs 1 and 2 of this Judgment, above, and to en-
title such motion picture "King Kong," so long as plaintiff
does not, during the remaining period of the term of re-
newal copyright in the motion picture entitled "King Kong"
owned by defendant RKO General, Inc., copy copyrightable
matter contained in said motion picture of RKO General,
Inc. which is not contained in said works declared to be
in the public domain in Paragraphs 1 and 2 of this Judgment,
above. Such a motion picture produced by plaintiff Universal
City Studios, Inc. will not infringe upon the renewal copy-
right in the motion picture owned by defendant RKO General,
Inc. or upon any of defendants' other rights.

4. Counterclaimant RKO General, Inc. shall
take nothing under either Count I or Count II of its
Counterclaim against counterdefendant Universal City
Studios, Inc.; and said counterclaim is hereby dismissed
on the merits.

1 5. Universal City Studios, Inc. shall have
2 and recover its costs of suit against defendants RKO General,
3 Inc. and Richard Cooper.

4 6. The Clerk shall enter this Judgment forth-
5 with, the Court expressly determining that there is no just
6 reason for delay.

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8 Dated: November 24, 1976.

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United States District Judge

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31 AUG 1982
I hereby certify and declare that
the foregoing is a true and correct
copy of the original as the same is on file
in my office.

A
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
By [Signature]

